

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THOMAS FERNANDEZ and LORA SMITH,  
individually and on behalf of a class of all others  
similarly situated,

Plaintiff(s),

Case No. C06-07339 MJJ

ADR CERTIFICATION BY PARTIES  
AND COUNSEL

v.

K-M INDUSTRIES HOLDING CO., INC., et al.

Defendant(s).

Pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5 (b), each of the undersigned certifies that he or she has:

(1) Read the handbook entitled "*Dispute Resolution Procedures in the Northern District of California*" on the Court's ADR Internet site [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov) (*Limited printed copies are available from the clerk's office for parties in cases not subject to the court's Electronic Case Filing program (ECF) under General Order 45*);

(2) Discussed the available dispute resolution options provided by the Court and private entities; and

(3) Considered whether this case might benefit from any of the available dispute resolution options.


Dan Stritmatter for K-M Industries Holding  
Co. Inc.; K-M Industries Holding Co. Inc.  
ESOP Plan Committee; and CIG ESOP Plan  
Committee

Dated: 3/8/07 \_\_\_\_\_

\_\_\_\_\_  
[Party]

Henry I. Bornstein for Lovitt & Hannan,  
Inc.

Dated: 3/8/07 \_\_\_\_\_

  
[Counsel]

When filing this document in ECF, please be sure to use the ADR Docket Event entitled "ADR Certification (ADR L.R. 3-5b) of Discussion of ADR Options."

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